
HOUSE BILL 1953

State of Washington

61st Legislature

2009 Regular Session

By Representatives Conway, Bailey, Seaquist, Hurst, Van De Wege, Green, Simpson, Crouse, Orcutt, Ormsby, Williams, and Hinkle; by request of Select Committee on Pension Policy and LEOFF Plan 2 Retirement Board

Read first time 02/04/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to allowing department of fish and wildlife
2 enforcement officers to transfer service credit; and adding a new
3 section to chapter 41.26 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.26 RCW
6 to read as follows:

7 (1) A member of plan 2 who was a member of the public employees'
8 retirement system plan 2 or plan 3 while employed as an enforcement
9 officer for the department of fish and wildlife has the option to make
10 an election no later than December 31, 2009, filed in writing with the
11 department of retirement systems, to transfer all service credit
12 previously earned as an enforcement officer in the public employees'
13 retirement system plan 2 or plan 3 to the law enforcement officers' and
14 firefighters' retirement system plan 2. Service credit that a member
15 elects to transfer from the public employees' retirement system to the
16 law enforcement officers' and firefighters' retirement system under
17 this section shall be transferred no earlier than June 30, 2014, and
18 only after the member completes payment as provided in subsection (2)
19 of this section.

1 (2)(a) A member who elects to transfer service credit under
2 subsection (1) of this section shall make the payments required by this
3 subsection prior to having service credit earned as an enforcement
4 officer with the department of fish and wildlife under the public
5 employees' retirement system plan 2 or plan 3 transferred to the law
6 enforcement officers' and firefighters' retirement system plan 2.

7 (b) A member who elects to transfer service credit from the public
8 employees' retirement system plan 2 under this subsection shall pay,
9 for the applicable period of service, the difference between the
10 contributions the employee paid to the public employees' retirement
11 system plan 2 and the contributions that would have been paid by the
12 employee had the employee been a member of the law enforcement
13 officers' and firefighters' retirement system plan 2, plus interest on
14 this difference as determined by the director. This payment must be
15 made no later than June 30, 2014, and must be made prior to retirement.

16 (c) A member who elects to transfer service credit from the public
17 employees' retirement system plan 3 under this subsection shall
18 transfer to the law enforcement officers' and firefighters' retirement
19 system plan 2, for the applicable period of service, the full balance
20 of the member's defined contribution account within plan 3 as of the
21 effective date of the transfer. At no time will the member pay, for
22 the applicable period of service, a sum less than the contributions
23 that would have been paid by the employee had the employee been a
24 member of the law enforcement officers' and firefighters' retirement
25 system plan 2, plus interest as determined by the director. This
26 transfer and any additional payment, if necessary, must be made no
27 later than June 30, 2014, and must be made prior to retirement.

28 (d) No later than June 30, 2015, the department of fish and
29 wildlife shall pay an amount sufficient to ensure that the contribution
30 level to the law enforcement officers' and firefighters' retirement
31 system will not increase due to this transfer. Payments made prior to
32 June 30, 2015, are authorized as determined by the department and
33 coordinated with the state actuary.

34 (e) Upon completion of the payment required in (b) of this
35 subsection, the department shall transfer from the public employees'
36 retirement system to the law enforcement officers' and firefighters'
37 retirement system plan 2: (i) All of the employee's applicable
38 accumulated contributions plus interest and all of the applicable

1 employer contributions plus interest; and (ii) all applicable months of
2 service, as defined in RCW 41.26.030(14)(b), credited to the employee
3 under this chapter for service as an enforcement officer with the
4 department of fish and wildlife as though that service was rendered as
5 a member of the law enforcement officers' and firefighters' retirement
6 system plan 2.

7 (f) Upon completion of the payment required in (c) of this
8 subsection, the department shall transfer from the public employees'
9 retirement system to the law enforcement officers' and firefighters'
10 retirement system plan 2: (i) All of the employee's applicable
11 accumulated contributions plus interest and all of the applicable
12 employer contributions plus interest; and (ii) all applicable months of
13 service, as defined in RCW 41.26.030(14)(b), credited to the employee
14 under this chapter for service as an enforcement officer with the
15 department of fish and wildlife as though that service was rendered as
16 a member of the law enforcement officers' and firefighters' retirement
17 system plan 2.

18 (g) If a member who elected to transfer pursuant to this section
19 dies or retires for disability prior to June 30, 2014, the member's
20 benefit is calculated as follows:

21 (i) All of the applicable service credit, accumulated
22 contributions, and interest is transferred to the law enforcement
23 officers' and firefighters' retirement system plan 2 and used in the
24 calculation of a benefit.

25 (ii) If a member's obligation under (b) or (c) of this subsection
26 has not been paid in full at the time of death or disability
27 retirement, the member, or in the case of death the surviving spouse or
28 eligible minor children, have the following options:

29 (A) Pay the bill in full;

30 (B) If a continuing monthly benefit is chosen, have the benefit
31 actuarially reduced to reflect the amount of the unpaid obligation
32 under (b) or (c) of this subsection; or

33 (C) Continue to make payment against the obligation under (b) or
34 (c) of this subsection, provided that payment in full is made no later
35 than June 30, 2014.

36 (h) Upon transfer of service credit, contributions, and interest
37 under this subsection, the employee is permanently excluded from
38 membership in the public employees' retirement system for all service

1 related to time served as an enforcement officer with the department of
2 fish and wildlife under the public employees' retirement system plan 2
3 or plan 3.

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